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VIA CM/ECF

Honorable Nancy Hershey Lord
U.S. Bankruptcy Court
Eastern District of New York
271-C Cadman Plaza East
Brooklyn, New York 11201

RE: *Wilmington PT Corp. v. Wells Fargo Bank, N.A.*
Ad. Proc. No.: 1-19-01101-nhl
Request to Amend Pre-Trial Order

Dear Judge Lord,

We are counsel for the Plaintiff, Wilmington PT. Corporation (“Plaintiff” or “Wilmington PT”) in the above referenced adversary proceeding. We write to request that this Court issue an Amended Pre-Trial Order due to the Defendant’s continued failures to comply with the schedules set forth by this Court. The prior Amended Pre-Trial Order was issued on January 24, 2020. *See* ECF Dkt. No.: 12.

Plaintiff’s discovery demands remain outstanding. Plaintiff sent a good faith correspondence regarding the outstanding discovery on December 17, 2019. Defendant responded on December 19, 2019 stating that the Plaintiff should have responses to its demands before the January 9, 2020 Pre-Trial Conference. When it became apparent that these responses would likely not be tendered before the pre-trial conference, Plaintiff requested a meet and confer. The meet and confer was conducted on January 6, 2020. Defendant explained that the responses should be provided shortly. On March 18, 2020, Defendant filed a letter requesting the adjournment of the hearing scheduled to occur on March 19, 2020. Plaintiff consented based on the representation that discovery responses from Defendant were forthcoming. To date, Defendant has not provided responses to Plaintiff’s discovery demands, nor has Defendant provided a witness for a deposition.

Earlier today, the undersigned once again reached out to counsel for the Defendant to inquire as to the status of the discovery responses. The undersigned was told that Defendant’s counsel would do its best to provide responses by the end of next week.

Plaintiff intends to file a motion to compel if it does not receive responses to its demands by the end of next week.

Accordingly, Plaintiff requests that this Court issue a Second Amended Pre-Trial Order extending the deadline to complete discovery until June 30, 2020 and extending the date by which the parties shall file the Joint Pre-Trial Memorandum until August 1, 2020.

We thank the Court for its time and attention to this matter.

Thank you,

/s/ Seth D. Weinberg
Seth D. Weinberg, Esq.

cc: All parties entitled to notice (by CM/ECF)